

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DONALD C. BACHMAN,

Plaintiff,

No. CIV S-03-1735 LKK PAN P

vs.

J. KUHN, et al.,

Defendants.

ORDER

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Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. This action was dismissed on December 2, 2004 and judgment was entered on the same day. On December 13, 2004, plaintiff filed a notice of appeal from the judgment entered in this action and the matter is now pending in the United States Court of Appeals for the Ninth Circuit. Since dismissal, plaintiff has filed three motions for appointment of counsel. After review of the record herein, this court does not find the exceptional circumstances that might support a request from the court for voluntary assistance of counsel to assist plaintiff. Cf. 28 U.S.C. § 1915(e)(1); Terrell v. Brewer, 935 F.2d 1015, 1017 (9th Cir. 1991); Wood v. Housewright, 900 F.2d 1332, 1335-36 (9th Cir. 1990). Plaintiff's motions will be denied without prejudice to their renewal, as appropriate, in the United States Court of Appeals for the Ninth Circuit.

1 In accordance with the above, IT IS HEREBY ORDERED that plaintiff's October  
2 28, 2005, November 18, 2005, and December 22, 2005 motions for the appointment of counsel  
3 are denied without prejudice.

4 DATED: February 17, 2006.

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7 UNITED STATES MAGISTRATE JUDGE

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